

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER G-02-039

Relating to Public Hearing to Consider the Adoption of a Proposed Airborne
Toxic Control Measure for Emission of Hexavalent Chromium and Cadmium from
Motor Vehicle and Mobile Equipment Coatings

WHEREAS, on September 20, 2001, the Air Resources Board (ARB or Board) conducted a public hearing to consider adopting a regulation to eliminate emissions of hexavalent chromium and cadmium from motor vehicle and mobile equipment coatings. The proposed regulation is intended to reduce emissions from coating products that are predominantly used in original equipment manufacturing (OEM) and automotive repair and refinishing coating activities. The proposed regulation would establish standards for these coatings. The proposed regulation is applicable to both OEM coatings and refinishing coatings;

WHEREAS, following the public hearing on September 20, 2001, the Board adopted Resolution 01-30, in which the Board approved adoption of section 93112, title 17, California Code of Regulations (CCR).

WHEREAS, in Resolution 01-30, the Board directed the Executive Officer to incorporate into the approved adoption the modifications described above, with such other conforming modifications as may be appropriate, and then to adopt the modified amendments, after making the modified regulatory language available for public comment for a period of 15 days, provided that the Executive Officer shall consider such written comments regarding the modified text as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, on November 21, 2001, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, were made available for public comment for a period of 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44; and

WHEREAS, no written comments were received during the 15-day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 01-30 are incorporated by reference herein.

IT IS FURTHER ORDERED in accordance with Resolution 01-30, the adoption of section 93112, title 17, California Code of Regulations (CCR) is adopted as set forth in Attachment 1 hereto.

Executed this _____ day of _____, 2002, at Sacramento, California.

Michael P. Kenny
Executive Officer

Attachment